

DEC 12 2005

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

PEDRO R. DELEON GUERRERO,	)	Civil No. 04-0033
	)	
Plaintiff	)	
	)	
v.	)	ORDER AWARDING
	)	ATTORNEY'S FEES
MASAYUKI ISODA, also known as	)	AND COSTS
Mike Isoda,	)	
	)	
Defendant	)	
_____	)	

PURSUANT TO the court's order of November 15, 2005, finding defendant entitled to an award of attorney fees and costs as the prevailing party under paragraph 30 of the Ground Lease between the parties; NOW, THEREFORE,

The court, having reviewed the attorney's fees claimed, finds that the hourly rate charged by defendant's attorney is reasonable and appropriate in this community for an attorney of counsel's experience. The court further finds that the total hours

1 claimed appear to be reasonable, were necessarily expended in the litigation, and are  
2 reasonable for the results obtained.

3  
4 Filing fees are recoverable costs under 28 U.S.C. § 1920. Deposition fees are  
5 also recoverable costs under the statute. The court is satisfied that the deposition  
6 appeared reasonably necessary at the time it was taken, Evanow v. M/V Neptune,  
7 163 F.3d 1108, 1118 (9th Cir. 1998), and it was apparently used by both parties in the  
8 summary judgment motion. *See e.g. Jop v. City of Hampton, VA*, 163 FRD 486, 488  
9 (E.D.Va. 1995) (whether the case goes to trial is irrelevant when ascertaining  
10 taxability of deposition costs). Accordingly,  
11

12  
13 IT IS ORDERED that defendant shall have judgment against plaintiff for  
14 attorney's fees in the amount of \$5,618.66 and for costs pursuant to 28 U.S.C. § 1920  
15 in the amount of \$306.00.  
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17 DATED this 12th day of December, 2005.  
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21 ALEX R. MUNSON  
22 Judge  
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